

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW HAMPSHIRE**

In re:

Bk. No. 14-10780-JMD  
Chapter 13

Alan C. Page,  
Debtor

Lawrence P. Sumski, Chapter 13 Trustee and  
Alan C. Page,  
Plaintiffs

v.

Adv. No. 14-1071-JMD

JPMC Specialty Mortgage LLC,  
Defendant

**PRETRIAL SCHEDULING ORDER**

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure (“FRCP”), which is made applicable to this case by Rule 7016 of the Federal Rules of Bankruptcy Procedure and Rule 7016-1(a) of the Local Bankruptcy Rules (“LBR”), the above-captioned adversary proceeding came before the Court for a hearing on September 30, 2014. The plaintiff commenced the adversary proceeding pursuant to 11 U.S.C. §§ 506(d) and 544(a)(3) and NH RSA 361-C:2, 456-B, and 477. All parties present having been heard, the Court hereby orders as follows:

**A. Motions/Amendments to Pleadings/Parties:**

1. The plaintiff shall file an amended complaint that complies with AO 7008-1 on or before October 14, 2014.

2. The defendant shall file an answer to the amended complaint that complies with AO 7012-1 on or before October 28, 2014.

3. All motions or agreements to further amend pleadings or join parties shall be filed and served on or before December 2, 2014.

4. All motions relating to discovery shall be filed and served on or before February 2, 2015.

5. Dispositive motions shall be filed and served on or before February 12, 2015.

6. Pursuant to LBR 7102(c), responses to dispositive motions shall be filed and served no later than seven day prior to the date set for hearing. Objections to summary judgment motions shall be filed and served within thirty days from the date the motion is filed. If a reply is deemed essential by a party, then it may file such a reply within seven days of service of the response. The Court shall deem waived any objection not filed in accordance with LBR 7102(c).

7. Dispositive motions shall be decided by the Court on oral argument. Prior to filing a dispositive motion, the party must contact Judge Deasy's calendar clerk to obtain a hearing date and time. See LBR 7101.

**B. Discovery Deadlines and Procedures:**

8. To the extent the parties have not yet complied with FRCP 26(a)(1) and LBR 7026-1(a)(1), on or before October 14, 2014, the parties shall make the initial disclosures required by FRCP 26(a)(1) of the names, addresses, and telephone numbers of individuals likely to have discoverable information, copies of documents that the disclosing party may use to support its claims and defenses, a computation of damages, and any insurance agreement that may provide coverage for liability.

9. The disclosure of expert testimony required by FRCP 26(a)(2) and LBR 7026-1(b) shall be made on or before December 2, 2014. If the evidence is intended solely to contradict or

rebut evidence on the same subject matter identified by another party under FRCP 26(a)(2)(B), then disclosure shall be made within thirty days after the disclosure made by the other party.

10. The parties shall complete discovery by no later than February 2, 2015. Written interrogatories, requests for admissions and like discovery requests shall be served at such time that the applicable response date under the Federal Rules of Bankruptcy Procedure will be earlier than the date by which discovery must be completed unless the deadline has been extended in accordance with LBR 7016-4.

11. In accordance with LBR 7016-2, the parties shall file with the Court a final pretrial statement on or before February 16, 2015, containing, among other items, a brief statement of the case, a written stipulation of all contested and uncontested facts, a written stipulation of the applicable law and any disputed issues of law, any waiver of claims or defenses, a witness list, an exhibit list, and an estimate of trial length.

**C. Final Pretrial Date/Alternative Dispute Resolution/Settlement:**

12. This proceeding is hereby set for a final pretrial hearing on **February 24, 2015, at 1:30 p.m.** in Bankruptcy Courtroom 2, 11th Floor, 1000 Elm Street, Manchester, New Hampshire. This date may be continued if a party files a motion for summary judgment.

13. In accordance with the Alternative Dispute Resolution Act of 1998, the Court encourages the parties to engage in alternative dispute resolution. See 28 U.S.C. §§ 651-658. If the parties agree to participate in alternative dispute resolution, they may contact Judge Deasy's calendar clerk for assistance.

ENTERED at Manchester, New Hampshire.

Date: October 1, 2014

/s/ J. Michael Deasy  
J. Michael Deasy  
Bankruptcy Judge